

**Notice of Allowability****Application No.**

09/940,711

**Applicant(s)**

MIZUTANI ET AL.

**Examiner**

Norca L. Torres-Velazquez

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1771

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/12/04.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 27 August 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alphonso Collins on June 28, 2004.

The application has been amended as follows:

Claims 1-3, 7 and 9-12 have been amended:

1. An absorbent article comprising:

a liquid permeable surface layer;

a backing sheet; and

an absorbent layer interposed between said surface layer and said backing sheet,

said surface layer including: a porous film having a plurality of through holes; and a layer disposed on the liquid-receiving face of said porous film, said layer being of a plurality of fibrous layers extending longitudinally in parallel and being separated from each other at predetermined latitudinally spaced intervals, each fibrous layer being fixed to said porous film at spaced fixing portions, so that said porous film is exposed between adjacent rows of said layer.

2. The absorbent article as set forth in claim 1,

wherein said fixing portions are spaced apart from each other in a longitudinal direction along which said layer extends, and between adjacent fixing portions each fibrous layer is raised away from the porous film to form a plurality of looped portions.

3. The absorbent article as set forth in claim 1,  
wherein said porous film is contracted in the longitudinal direction along  
which said layer extends, after said fibrous layers are fixed to said porous film,  
for reducing a pitch between adjacent fixing portions for raising looped portions.

7. The absorbent article as set forth in claim 4,  
wherein said through holes are opened in a quadrangular shape, so that said porous film is  
formed with separation strips separating adjacent quadrangular through holes, said  
preparation strips extending oblique relative to the direction along which said fibrous layers  
of said layer extend.

9. The absorbent article as set forth in claim 1, wherein said layer is formed of a bundle of  
continuous filaments.

10. The absorbent articles as set forth in claim 1, wherein said layer is formed of a non-  
woven fabric.

11. The absorbent article as set forth in claim 10, wherein each fibrous layer of said layer is  
formed of a bundle of thin strips formed by cutting said non-woven fabric.

12. The absorbent article as set forth in claim 1, wherein each fibrous layer is a bundle of  
continuous filaments opened from a tow or a bundle of thin strips cut out from a non-woven  
fabric.

2. The following is an examiner's statement of reasons for allowance: the prior art of record  
fails to suggest an absorbent article of the present invention with the particular surface layer  
including a porous film with holes and a plurality of fibrous layers that are parallel and separated  
from each other at predetermined latitudinally spaced intervals and that are fixed to the porous film

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at spaced fixing portions exposing the porous film in between. The structure of the present invention is best illustrated in Figures 2 and 5.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norca L. Torres-Velazquez whose telephone number is 571-272-1484. The examiner can normally be reached on Monday-Thursday 8:00-4:00 pm.

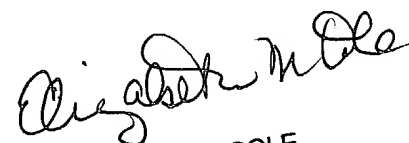
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Norca L. Torres-Velazquez  
Examiner  
Art Unit 1771

June 28, 2004



ELIZABETH M. COLE  
PRIMARY EXAMINER